

Bangladesh

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Freedom of the Press

Bangladesh's media environment remained relatively open in 2013, despite some worrying signs of intolerance by the government, a crackdown on bloggers and online speech, and an increase in physical harassment against the press.

Although the constitution provides for freedom of expression subject to “reasonable restrictions,” the press can be constrained by national security legislation as well as by sedition and criminal libel laws, which are occasionally used to arrest and prosecute journalists. Sedition laws can be applied broadly, and in 2011, the 15th amendment to the constitution included language that equated criticism of the constitution with sedition. The punishment for sedition ranges from three years to life in prison. Journalists can also be arrested under the 1974 Special Powers Act—which allows detentions of up to 90 days without trial—for stories that are critical of government officials or policies, or they can be charged with contempt of court. The opposition-oriented daily *Amar Desh* has faced a barrage of legal and regulatory threats over the past several years. Acting editor and majority owner Mahmudur Rahman was arrested in April 2013 and held in custody during an investigation into charges of sedition and inciting religious tension through *Amar Desh* articles. He had spent 10 months in jail in 2010–11 on charges of harming the country's reputation and had also been charged with sedition in December 2012.

In August 2013, amendments were passed to the Information and Communication Technology (ICT) Act that would expand police powers and increase the penalties for violations; activists criticized these broad provisions and vowed to challenge the law's constitutionality. The new amendments were passed through presidential decree and uphold the right for law enforcement to arrest suspects without permission. There are no limitations on the power of officials during the investigations or detention of the suspect, which can last for an unlimited time without bail. Additionally, penalties for online offenses have been set at a maximum 14-year sentence regardless of whether the crime is a defamatory offense or security-related. The amendments have been viewed as an attempt to decrease opposition support among citizens. The year also saw a rise in legal cases accusing bloggers of blasphemy, and four bloggers were arrested in April on the grounds that they were hurting people's religious beliefs. All four were indicted under the amended ICT Act in September, facing imprisonment and stiff fines. They had been released on bail by year's end, but the case remained ongoing.

Since its passage, the 2009 Right to Information Act has improved transparency and accountability. It applies to all information held by public bodies, simplifies the fees required to access information, overrides existing secrecy legislation, and grants greater independence to the Information Commission (IC) tasked with overseeing and promoting the law, according to the press freedom group Article 19. The law has been used primarily for investigative journalism as well as by activists. However, reports indicate that general awareness of the law and its utility remains low among the general population.

The Ministry of Information controls broadcast licensing and issues licenses for both commercial and community outlets. Television stations have occasionally been closed ostensibly for being in breach of broadcasting regulations. A comprehensive broadcast policy, intended to simplify the existing patchwork of laws and regulations, has been under discussion for several years by government and industry representatives and other stakeholders. In November 2012, the government formed a committee comprising a range of official and industry stakeholders to develop a National Broadcasting Policy. A draft

policy, posted to the Ministry of Information's website in September 2013, contained startling provisions restricting the content of broadcast media, including forbidding programming deemed excessively critical of state priorities or threatening to national security and sovereignty. It also empowered the Ministry of Information to revoke the broadcasting licenses of noncompliant outlets. In September 2012, concern was raised over a proposed regulation calling for the registration of online news portals, including the imposition of steep registration fees (an initial fee of around \$6,100, plus annual renewal fees of around \$610), limits on eligibility of applicants, and broad restrictions on content. However, the government had not moved forward with the proposal by the end of 2013.

The print media are generally allowed more leeway than broadcasters and new media, with private television channels that provide 24-hour news coverage facing particular scrutiny. In May 2013, several private television stations were shuttered by authorities as they attempted to cover unfolding protests in Dhaka. Attempts to censor internet-based content occasionally occur, and their incidence increased in 2013. In September 2012, the government blocked the video-sharing site YouTube following a global uproar over an anti-Islam video produced in the United States; the site remained blocked until June 2013. Facebook and individual blogs were also blocked for shorter periods during the year or had content removed, allegedly because they carried anti-religious content.

Some journalists practice self-censorship when reporting on sensitive topics like the military and judiciary. Sensitivity regarding reporting on the proceedings of the International War Crimes Tribunal hearings, as well as on the place of Islam in politics and society, heightened during the year. Coverage of labor disputes has also become more slanted as garment factory owners have moved into the media sector, buying up both print and broadcast outlets; as a result, stories often highlight violence or work disruptions initiated by workers rather than labor rights issues.

Journalists continue to be threatened and attacked with impunity by organized crime groups, party activists, and Islamist groups. One journalist—a blogger who had written critically about Islamist groups and who had been listed as a target on a pro-Islamist website—was killed in 2013, according to the Committee to Protect Journalists. Physical harassment of the press also remained a concern. On a number of occasions during the year, journalists were harassed or attacked while trying to cover the ongoing protests engulfing the country; among them was a female journalist, assaulted by Islamist groups during a demonstration in April. Senior correspondent Sumon Mahbub of the news website bdnews24.com was deliberately hit by a car after covering Shahbagh protests in February. Also that month, multiple acts of vandalism occurred at demonstrations in Chittagong. Protesters burned banners and placards outside the national press club, then raided and damaged the building. While reporting on a prayer gathering the following day, a number of journalists were ambushed by the protesters and hospitalized. Journalists from Channel 24, Boishakti TV, and *Uttar Purbo* were injured while covering a rally in the city of Sylhet on the same day. In October 2013, a spate of attacks against both journalists and media outlets took place across the country, including bombings of media offices in Dhaka; most were carried out by Islamist and opposition parties against private media outlets. The local rights group Odhikar reported that dozens of cases of threats and physical harassment leading to injury had taken place during the year. Impunity is the norm for those who perpetrate crimes against journalists, and investigations of such crimes generally proceed slowly, if at all. However, in a sign of progress on this issue, nine individuals were prosecuted in 2013 for the 2005 murder of Gautam Das, a journalist who was brutally tortured and killed for reporting on a local corruption scandal. All nine were sentenced to life in prison.

A primary threat to journalists' physical safety comes from the country's security forces, including the police and military intelligence. Police brutality toward reporters and photographers attempting to document political protests or other sensitive events remains a concern, as do occasional cases of arrest, detention, or custodial torture of journalists. Some journalists received threatening telephone calls from intelligence agencies seeking to prevent negative coverage. Criminal gangs and business owners also attempt to

influence coverage through coercion or threats.

With hundreds of daily and weekly publications, the privately owned print media continue to present an array of views, although political coverage at many newspapers is highly partisan. Private broadcasting has expanded in recent years, with more than 20 satellite and cable television stations and a number of private radio stations—including 3 private FM stations and a dozen community stations—operating as of 2012. Many of these private broadcast outlets are owned by individuals with close political or official affiliations. At the end of 2013, the government approved 13 new private television stations, 14 FM radio stations, and 60 community radio stations, in addition to several TV channels approved earlier in the year. Almost all of the new TV stations were connected to figures close to the ruling party—including former and current government officials. The state directly owns or influences several broadcast outlets, including the public BTV, which remains the sole national terrestrial channel. Private outlets are required to air selected government-produced news segments and official speeches. Political considerations influence the distribution of government advertising revenue and subsidized newsprint, on which many publications depend. Private media owners and corporate interests are also able to influence content through the allocation of advertising. A directive issued in 2012 to government institutions limited their list of newspaper subscriptions to a small range of dailies that supported the governing Awami League.

Access to the internet is generally unrestricted, but the penetration rate was just over 6 percent of the population in 2013. During the last few years, the number of online news outlets, including news websites and internet-based radio stations, has increased dramatically, as has use of major social-networking sites such as Facebook. The government continues to monitor internet activity. Some journalists' e-mail correspondence is reportedly watched by police, and those brought in for questioning have been asked to supply personal internet passwords to intelligence officers. In March 2013, an official committee was formed to monitor blogs and social-media sites and to identify individuals who produced or posted anti-Islamic content.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

54

Legal Environment

(0 = best, 30 = worst)

15

Political Environment

(0 = best, 40 = worst)

23

Economic Environment

(0 = best, 30 = worst)

16